

# Hampton Animal Control Advisory Committee

## -Lawson Conference Room-

### Meeting Minutes – November 18, 2021

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Voting Members Present: John “Andy” Anderson, Sharon Bilyj, Pamela Christiansen, Linda Davis, Katherine Omo, Elizabeth Peabody, Victoria Wineland

Ex-Officio Members Present: Steven Bond, Angie Taylor

Staff Present: Annette Oakley (City Manager’s Office), Olivia Wiggins (City Attorney’s Office)

Guest Present: Melanie Paul, Debbie North, Sam Allerton, Wendy Wellons

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#### **Call to Order & Welcome**

Vice Chair Bilyj welcomed everyone and called the meeting to order at 5:40 p.m. She asked members and guests to give introductions.

#### **Election of Officers**

Vice Chair Bilyj asked if anyone was interested in serving as Chair. Andy Anderson volunteered.

ACTION: Sharon Bilyj made a motion to nominate Andy Anderson as Chair and Victoria Wineland seconded. A vote was taken and motion passed.

Ms. Wiggins mentioned election of officers is typically done at the Organizational Meeting in January, but because Chair Young has resigned, the Chairman position needed to be filled.

#### **Review Agenda & Approval of Minutes**

Vice Chair Bilyj stated the draft minutes from September 16, 2021, were distributed for review in advance of the meeting and asked if there were any changes. There being none, she called for a motion to approve.

ACTION: Victoria Wineland made a motion to approve the minutes as written and Linda Davis seconded. A vote was taken and motion passed.

#### **City Manager’s Report**

(Item deferred to later on the agenda, as Mr. Bond was still in Planning Commission meeting).

#### **Animal Control Report**

Angie Taylor reported on staffing and stated they have seven officers and are fully staffed, but some officers are still in training and two need the basic training academy. Three are currently in the Virginia Beach Basic Academy and should be graduating on November 23, 2021. She mentioned at the end of November, they plan to open back up to ten-hour shifts. She stated at the City Manager’s request, they will have one officer trapping feral cats. There was a question of what would be done with the cats. Ms. Taylor stated it depends

on space, as the regional shelter remains at capacity. If space is not available, the officer will do other animal control work. She stated after September/October, calls have decreased. However, they have had calls on some interesting animals, such as two alligators, a crocodile and a caiman. She stated an emu and hedgehog were also found. She stated this is a good time to concentrate on training, to prepare for the busier season in the summer.

She mentioned there have been inquiries regarding a 501(c)(3) for animal control. Vice Chair Bilyj inquired if private citizens can do fundraising for animal control. Ms. Wiggins stated Steven Bond could probably best answer the question. Vice Chair Bilyj inquired if it could be an already existing 501(c)(3), like Animal Aid Society runs a fundraiser. Ms. Wiggins mentioned this also would be a question for Mr. Bond.

Ms. Taylor mentioned she has not been able to attend the last few meetings of the Peninsula Community Cat Coalition, but there was discussion on TNR, and although we cannot legally do it as an entity, if there are those invested in the community who can provide assistance, they are all for it. Animal Control would prefer TNR or spay/neuter as opposed to trapping and taking animals to the shelter.

### **Current Issues/Trends**

Ms. Taylor mentioned she took a coyote class, which was very interesting. She learned that citizens can haze (make noise) the animal to scare them off. She stated it is a community event, where everyone needs to be engaged in it. She stated often animals hang around a certain area because they are being fed. She stated Animal Control has tried to haze in a specific area and it has been successful. She hopes to make an educational video in the future to make the community more aware and how they can contribute.

Vice Chair Bilyj asked about an update on foxes. Ms. Taylor stated they have been making a presence; such as walking in the woods, making noise, and has also had assistance from Virginia Wildlife. They have not had any additional sightings lately.

### **Old Business**

#### **Animal Control Code Amendments:**

Ms. Wiggins referred to the draft animal amendment and stated the official date for the agenda item is December 16, 2021 for the Planning Commission meeting and January 12, 2022 for the City Council meeting. There are three separate amendments that she will put before City Council:

1. Dog at Large
2. Agricultural Animals
3. State Code Amendment

She invited members to attend if they would like. She mentioned the January 12, 2022 City Council meeting will include an update by H.A.R.T., in addition to the three code amendments, during the afternoon session. City Council will vote during the evening session, which begins at 6:30 p.m.

#### **Bylaws Amendment:**

Ms. Wiggins reviewed the purpose of the proposed changes and stated City Council would have to approve two of the items. She finalized the items and sent to Steven Bond for review and now it will be up to City Council to approve the bylaw changes in order to take effect.

NOTE: Steven Bond joined the meeting.

### **City Manager's Report**

Vice Chair Bilyj stated the committee discussed 'Friends of H.A.R.T.' and a 501(c)(3) to assist in fundraising for Animal Control. She stated the question is two-fold; can an already existing 501(c)(3), such as Animal Aid Society, do some type of fundraising; and would it need to go through an approval process? Mr. Bond stated it probably depends on what the articles of incorporation of the 501(c)(3) states. Ms. Davis also gave an example of fundraising for TNR; but the articles of incorporation do not specify who can use them. Vice Chair Bilyj mentioned the bylaws state we can't provide donated money for an individual; it's to benefit the welfare of animals, so if nothing precludes the committee from doing it, is it allowed? Mr. Bond inquired what the committee envisions the funds being used for by H.A.R.T. It was discussed to possibly use the money towards trap and release, and could an agency fundraise to get a spay/neuter truck for the City, for example. Mr. Bond inquired what would be the benefit to push that through the City; the 501(c)(3) could accomplish its goal by donating directly to the entity providing the service or the individuals receiving the service. Ms. Davis stated she finds, through her work with TNR and rescues, that most people bring in their feral cats; they do the work, we would just need funding to get more done. Vice Chair Bilyj inquired if 'Friends of H.A.R.T.' could fundraise to get a low-cost spay/neuter van. Ms. Wiggins stated setting something up is a process; it would be a policy decision by City Council. Ms. Davis stated the Virginia Federation of Humane Society is trying to get the State to change their TNR laws, and if that changes, would it trickle down and help the City's laws. Ms. Wiggins said it would depend on what the law is changed to. Mr. Bond stated it also depends on the specifics and whether or not it is permissive language that allows the decisions to be made at the locality.

### **New Business**

Ms. Wiggins mentioned something that has recently come to the forefront, with our emergency contract and she and Ms. Taylor have been working on a Request for Proposal (RFP). The goal is to finalize it this week, as there is a need for a veterinarian to provide 24-hour services for animal emergencies. The RFP should be going out within the next couple of weeks and asked if anyone knows of someone interested, to please let her know. She stated it does not have to be in Hampton, but within a certain radius. Ms. Wiggins stated we are in need of a contract with a veterinarian and therefore will be putting the RFP out soon. She will provide a link of where to find the RFP on the City website.

### **Public Comment**

Vice Chair Bilyj asked guests to introduce themselves; Sam Allerton, Wendy Wellons, Melanie Paul and Debbie North were present. Vice Chair Bilyj read the protocol for public comment:

*The Animal Control Advisory Committee allows for public comment limited to matters of which the committee has the power and authority to act. Each individual will have three (3) minutes to speak. All comments shall be directed to the Animal Advisory Committee. Speakers may not yield their time to another. Speakers should address the committee with decorum on issues or topics of which the committee has the power to address. Speakers should refrain, however, from personal attacks when making such comments. The audience is asked to be respectful of all speakers. It is the committee's practice to listen to speaker and not engage in dialogue. After all of the speakers have been heard, the City Manager representative, City Attorney representative, H.A.R.T. representative, and/or members of the committee can respond as appropriate.*

Mr. Allerton shared an issue he was having with a neighbor's three dogs, in particular a German Shepard, which is not being kept on a leash. He stated he has had several situations where his dog has been in jeopardy of being attacked, as well as Ms. Wellons dogs. He stated the neighbor's dogs come unto his property to do their business and they do not clean up after the dogs. He stated he attempted to get the

neighbor's names to fill out a complaint. He stated the complaints were denied because he could not determine which person owned the German Shepard. He wanted the committee to know about his issue and that he confronted his neighbor and since then the neighbor's animal has been on a leash. He stated he was not going to let the German Shepherd hurt him or his animal and will take the necessary precautions to protect himself, his animal and his property. He hopes this does not result in the death of an animal, but unless we can find another way to help them understand that responsible people are serious about their infractions, he does not really know what to do and wanted to share this with the committee. He asked for thoughts from the committee.

Ms. Taylor thanked Mr. Allerton for filing his complaint with the magistrate and trying to handle the situation, but stated anytime he has an issue, he can call H.A.R.T. She added, the officer does enter information into the system as a matter of record. Mr. Allerton stated he called and the officer came out, but the owner would not answer the door; even with the officer there, he could not make any headway. Ms. Taylor stated she did speak to Mr. Allerton, so they have a location on file and Animal Control did provide information to the neighbors, advising them on how to get a City license, so there is a matter of record. She also advised Mr. Allerton to call anytime there is an issue and hopefully Animal Control can get out there while the dogs are out. Mr. Allerton stated he has to make a plan in advance and execute on that plan if needed. He stated he spoke with Officer Stone and let him know he does not want to go to jail for discharging a firearm in City limits, so he will find another lethal means of neutralizing the animal without discharging a weapon if in order to protect himself. Ms. Taylor stated they will soon have a lot more officers out and readily available to respond to calls for service and she hopes the neighbors will continue to keep their dogs on a leash. Mr. Allerton stated he has not had any issues since the officer came out, and does not have any present concerns, but because of past history, he is still on the alert. He thanked the committee for their time and attention.

There were no other comments by the public.

#### **Other Business**

No Report

#### **Next Meeting**

The next meeting will be on Thursday, January 20, 2022 at 5:30 p.m. Ms. Wiggins stated the January meeting is the organizational meeting where we vote on officers and asked everyone to be present.

#### **Adjournment**

There being no further business, Vice Chair Bilyj adjourned the meeting.